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Identical letters dated 30 November 2007 from the Permanent Representative of the Islamic Republic of Iran to the United Nations addressed to the Secretary-General and the President of the Security Council

I have the honour to submit herewith a letter addressed to you by Manouchehr Mottaki, Minister for Foreign Affairs of the Islamic Republic of Iran, with regard to Iran's cooperation with the International Atomic Energy Agency and the Agency's latest report and conclusions in this regard (see annex).

I would appreciate if you would kindly circulate the present letter and its annex as a document of the General Assembly, under agenda item 87, and of the Security Council.

(*Signed*) Mohammad **Khazaee**
Ambassador
Permanent Representative

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Annex to the identical letters dated 30 November 2007 from the Permanent Representative of the Islamic Republic of Iran to the United Nations addressed to the Secretary-General and the President of the Security Council

With reference to the report dated 15 November 2007 of the IAEA Director General, contained in document GOV/2007/58, which has been provided in the light of the recent Work Plan agreed between the Islamic Republic of Iran and the Agency to resolve the outstanding issues, and in which the IAEA Director General has stressed that "the Agency has been able to conclude that answers provided by Iran on the declared past P-1 and P-2 centrifuge programmes are consistent with its findings" and, thus, with such conclusion, this issue as the most important outstanding issue — that was used as a pretext by a few countries to unlawfully bring Iran's peaceful nuclear issue to the Security Council — has been resolved, I wish to bring the following to Your Excellency's attention:

The referral of Iran's peaceful nuclear programme to the Security Council has been, from the outset, in clear contravention of the provisions of the Agency's statute, particularly paragraph C of its article 12. According to the said provision, the responsibility to determine the NPT member States' non-compliance with their undertakings lies with the Agency's inspectors, and the latter shall report any non-compliance to the IAEA Director General, who shall thereupon transmit the report to the Board of Governors. In this context, no references have ever been made in any of the Agency's reports to indicate any non-compliance by Iran or diversion in its peaceful activities which are the necessary requirements for the decisions of the Board of Governors to refer such issues to the Security Council. On the contrary, the IAEA Director General has constantly stressed the non-diversion of the declared nuclear materials and activities in the Islamic Republic of Iran, and has acknowledged that "the Agency has been able to verify the non-diversion of declared nuclear material in Iran". The distinguished IAEA Director General, Mr. ElBaradei, has also emphasized, time and again, that Iran's peaceful nuclear programme has no military dimension; and for this very reason, he has been repeatedly attacked by the officials and media of the Israeli regime as well as the warmongers in the United States.

The Islamic Republic of Iran has no difficulty with taking transparency measures with regard to its nuclear activities and, in this context, the policy of the Islamic Republic of Iran in dealing with the Agency has essentially been, and will be, based on cooperation and transparency. In order to remove any ambiguities and allegations about its peaceful nuclear programme, the Islamic Republic of Iran has thus far demonstrated a great deal of good will and patience, and has even gone far beyond its treaty obligations in its cooperation with the Agency and other relevant parties by taking confidence-building measures. Providing the Agency with the possibility to carry out more than 2,500 person/day inspections, voluntary suspension of all enrichment-related activities, signing the Additional Protocol and its voluntary implementation, granting full and unlimited access to all its nuclear materials and facilities according to the Additional Protocol — even access to military sites, submitting more than 1,000 pages of initial declarations in accordance with the Additional Protocol, and the initiative proposed by the President of the Islamic Republic of Iran in his address to the United Nations General Assembly in 2005 offering the possibility for the participation of foreign companies and

countries in enrichment activities in Iran, are but a few examples of Iran's activities and cooperation in this regard.

Unfortunately, this constructive approach has been met with inappropriate and unfair responses. Certain countries with political motives have tried their best to divert the issue from its legal path, and to impose their political will on the Agency, through the Security Council, in order to deprive Iran of its legal and inalienable rights to peaceful uses of nuclear technology. Despite the politically motivated measures taken by a few countries that resulted in deadlock and interruption in the negotiations, Iran has once again put on display its goodwill by offering a new initiative for the resolution of the outstanding issues, which has been supported by the overwhelming majority in the international community. As a sign of its good intentions, Iran agreed to address the first outstanding issue, namely the plutonium issue, even before the finalization of the Work Plan with the IAEA. It is worth mentioning that the United States had always tried to make a big political issue out of this matter and, in the past four years, had repeatedly described it in the meetings of the IAEA Board of Governors as the so-called "indication of the threat of Iran's plutonium nuclear weapon". This allegation also proved to be totally baseless because, as a result of intensive technical negotiations, the Agency has endorsed Iran's past statements in this regard and has declared the issue resolved.

On the second outstanding issue, namely P-1 and P-2 centrifuges, numerous technical and expert-level meetings were held between Iran and the Agency in Tehran. These negotiations resulted in Mr. ElBaradei's conclusion in his recent report that "the Agency has been able to conclude that answers provided by Iran on the declared past P-1 and P-2 centrifuge programmes are consistent with its findings". In fact, by this conclusion, the most important outstanding issue and ambiguity about Iran's nuclear activities was resolved. The resolution of this issue is all the more important because, due to the linkage between the centrifuges and the enrichment programme, groundless allegations had been raised that Iran might have a clandestine nuclear programme with a non-peaceful nature. It has now become evident that these allegations have been completely baseless. Indeed from the beginning, the Islamic Republic of Iran had pronounced its principled position regarding those unfounded allegations; but now after years of self-restraint exercised by Iran, the truthfulness of its statements has become evident for the whole international community.

The third outstanding issue was the Uranium Metal Document, a copy of which, following the request of the IAEA, was provided to the Agency by Iran on 8 November 2007. According to the understanding reached between the Agency and Iran, by submission of the copy of that document, this issue is considered to be closed.

The Islamic Republic of Iran is certain that the three remaining issues will also be resolved, and it will become abundantly clear for all that, despite the massive propaganda and the noises made by a few countries, Iran's nuclear programme is absolutely peaceful and the so-called concerns raised by those few countries are but unfounded claims and allegations.

These significant measures taken, and remarkable progresses made, in resolving the outstanding issues and ambiguities again corroborate the rightness of the position of Iran, and the falseness of the claims of those few countries who, under the pretext of "non-proliferation concerns", attempt to deprive the Iranian

nation of its inalienable rights to peaceful uses of nuclear technology. The conclusions reached by the Agency confirm that Iran's nuclear activities have been fully transparent and its statements to the Agency have been authentic. Therefore, expressing unwarranted concerns or resorting to propaganda and political campaigns can be neither justified nor based on a technical and legal foundation.

I wish to recall that, at the very beginning of the negotiations between Iran and the Agency, few countries even questioned the usefulness of such negotiations as well as Iran's determination to implement the said Work Plan for a timely outcome. Drafting the Work Plan in 40 days, i.e. much sooner than had been agreed before, and resolution of one of the outstanding issues of the past, namely the plutonium, and also resolution of the issues related to the present at the time when negotiations were under way to finalize the Work Plan, are all indicative of Iran's seriousness in advancing its initiative. Such measures also proved that the allegations made by those few countries are groundless.

The results of Iran's actions as well as the findings by the Agency, once again and clearly, illustrate the fact that there has been no legal basis, from the outset, for the referral of Iran's nuclear issue to the Security Council and, therefore, there remain no pretexts to consider this issue in the Council. In fact, the necessary grounds have been laid for the issue to be dealt with solely by the IAEA, free from any interference by the political and security institutions. Indeed, a pertinent question arises as to why while all countries are transparently informed about Iran's programme and its peaceful nature through the Agency, yet certain countries continue to insist on pursuing this issue through unlawful paths? This well indicates that those few countries are not seeking transparency in Iran's nuclear activities as they claim, and even they have no valid legal basis for their claims, but are rather pursuing other goals and agendas.

In the light of the above, it is incumbent upon the Security Council to centre its attention on its main and fundamental responsibilities, and to put an end to its illegal consideration of Iran's nuclear issue. In this context, the Council should allow the Agency to perform its duty in a calm atmosphere free from tension and political motives, and without biased political guessing on the part of a few countries whose statements have repeatedly proved to be invalid and baseless.

(*Signed*) Manouchehr **Mottaki**
Foreign Minister of the Islamic Republic of Iran